

Remarks/Arguments

Reconsideration of the above-identified application in view of the present amendment is respectfully requested. Claims 1-5 and 7-10 are pending. Claim 1 is amended, claim 6 is canceled, and claim 10 is added. The abstract is amended as suggested by the examiner to overcome the objection.

Claim 1 is amended to recite that the cup-shaped section of the diffuser further has an upper side spaced apart from the gas generator and is a deformation element, so as to dissipate at least part of an impact energy of an impacting vehicle occupant by deformation of the diffuser. Neither Rink et al. nor Ishi et al. either taken alone or in combination disclose or suggest a cup-shaped section of a diffuser that has an upper side spaced apart from the gas generator and is a deformation element, so as to dissipate at least part of an impact energy of an impacting vehicle occupant by deformation.

By contrast, Ishi et al. discloses a guard member 80 enclosing a gas generator 14. When the gas generator is actuated, the guard member 80 expands outwardly or radially due to axial slits 82 in the guard member 80. The guard member 80 protects the gas bag 10 from coming into contact with the hot housing 16. However, Ishi et al. fails to disclose that the guard member 80 serves as a deformation element, so as to dissipate at least part of an impact energy of an impacting vehicle occupant by deformation of the diffuser. As acknowledged by the Examiner, Rink et al. does not disclose such a deformation element.

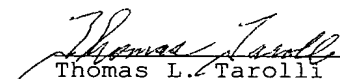
Also, neither Rink et al. nor Ishi et al. disclose a diffusor surrounding the inflator 30. Even if the guard member 80 of Ishi et al. was combined with the gas generator of Rink et al., such a combination would result in a gas generator having a filter element formed from various combinations of ceramic grit, ceramic fiber, metal grit, metal fiber etc., and a guard member which surrounds the gas generator.

Further, such a modification of Rink et al. with the guard member 80 of Ishi et al. might change the principal operation of the Rink et al. Specifically, the axial slits 82 in the guard member 80 and their expansion upon actuation of the inflator could affect the desired filtering of the gas from the inflator, because the slits 82 provide a larger outflow of gas than the smaller passageways of the filter 10 in Rink et al. A desired filtering is one of the objectives of Rink et al. (See Col. 1, lines 55-57 and Col. 1, lines 65-67). Therefore, in view of the above mentioned reasons, claim 1 is allowable. Claims 2-5 and 7-9 depend from claim 1 and are therefore allowable as depending from an allowable claim and also for the specific features recited therein.

New claim 10, which depends from claim 1, should be allowed for the same reasons as claim 1 and also for the additional feature that the porous material is a metal foam. Neither Rink et al. nor any of the other cited prior art disclose or suggest this feature. Thus, claim 10 is allowable.

In view of the foregoing, it is respectfully requested that the amendment be entered and the application allowed. Please charge any deficiency or credit any overpayment in the fees for this amendment to our Deposit Account No. 20-0090.

Respectfully submitted,


Thomas L. Tarolli
Reg. No. 20,177

TAROLLI, SUNDHEIM, COVELL,
& TUMMINO L.L.P.
1300 East Ninth Street, Suite 1700
Cleveland, Ohio 44114-1400
Phone: (216) 621-2234
Fax: (216) 621-4072
Customer No.: 26,294